



**U.S. Department of Justice**

*United States Attorney*  
*Southern District of New York*

*The Silvio J. Mollo Building*  
*One Saint Andrew's Plaza*  
*New York, New York 10007*

August 9, 2022

**BY EMAIL**

Honorable Jed S. Rakoff  
United States District Judge  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

**Re: *United States v. Vitaly Borker, 22 Cr 273 (JSR)***

Dear Judge Rakoff:

The Government writes with respect to the upcoming status conference in the above-captioned matter. As the Court is aware, on August 3, 2022, the defendant filed several pretrial motions. A conference to address the defendant's motions had been scheduled for August 9, 2022. On August 8, 2022, the Court adjourned the conference until August 16, 2022.

The Government and defense counsel understand that the time until the August 16, 2022 conference date is excluded from the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(D) as a result of the defendant's pretrial motions. Nevertheless, the Government requests the express exclusion of time between today's date and August 16, 2022 in the interests of justice, pursuant to 18 U.S.C. § 3161(h)(7). The interests served by such an exclusion outweigh the public and the defendant's interest in a speedy trial because an exclusion will allow the parties to prepare for the conference, and will further allow the defendant to continue to review discovery produced in this case and for the parties to engage in pretrial resolution negotiations. The defendant consents to the requested exclusion.

50 CLR/RE  
Jed S. Rakoff  
8-9-22

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:

Matthew Weinberg  
Assistant United States Attorney  
(212) 637-2386

Cc: Leo Shalit, Esq. (by Email)